

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BAYTREE CAPITAL ASSOCIATES, LLC, derivatively on
behalf of BROADCASTER, INC.,
Plaintiff,

-against-

NOLAN QUAN, MARTIN R. WADE III, BLAIR MILS,
RICHARD BERMAN, ANDREW GARRONI, JASON
BRAZELL, ROBERT GOULD, SANGER ROBINSON,
ALCHEMY COMMUNICATIONS, INC., FROSTHAM
MARKETING, INC., PACIFICON INTERNATIONAL,
INC., LONGVIEW MEDIA, INC., ACCESS MEDIA
NETWORKS, INC., ALCHEMY F/X, INC.,
INNOVATIVE NETWORKS, INC., BINARY SOURCE,
INC., BROADCASTER, LLC, TRANSGLOBAL MEDIA,
LLC, SOFTWARE PEOPLE, LLC and ACCESS MEDIA
TECHNOLOGIES, LLC,

Defendants,

-and-

BROADCASTER, INC.,

Nominal Defendant.

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| ELECTRONICALLY FILED |
| DOC # |
| DATE FILED: 3/28/08 |

Case Nos.: 08-cv-1602;
Stanton, J.)

**TEMPORARY
RESTRAINING ORDER**

Upon consideration of the arguments presented by counsel for the parties at a hearing held before the Court on March 26, 2008, the papers submitted on behalf of plaintiff (Memorandum of Law, Declaration of Michael Gardner, Declaration of Peter Sullivan), and the Complaint and exhibits annexed thereto, it is

ORDERED that pending determination of the plaintiff's application for preliminary relief, pursuant to Rule 64 and Rule 65 of the Federal Rules of Civil Procedure, Broadcaster, Inc., its representatives, agents, employees and all persons over

which they have control or acting on their behalf are temporarily restrained and enjoined from spending, transferring, selling, encumbering, pledging, or conveying in any manner the funds, assets, and/or treasury stock of Broadcaster, Inc. except in the ordinary course of Broadcaster's business, and that all such ordinary course payments in excess of \$1000 shall be reviewed by outside counsel to Broadcaster; provided however that nothing herein shall restrain or enjoin Broadcaster from paying up to \$15,000 to resolve a currently outstanding dispute with a third party, which dispute has been revealed to the Court, or applying to the Court for permission to make payments otherwise restrained hereby; and it is further

ORDERED that the Temporary Restraining Order issued March 20, 2008 is hereby vacated; and it is further

ORDERED that no security is required to be posted, although Defendants reserve their right to seek that security be posted.

Dated: New York New York
March 28, 2008

Louis L. Stanton
Louis L. Stanton
U.S.D.J.